

Meeting Minutes

City of Prescott Board of Adjustment Public Hearing

Thursday, June 15, 2006 – 9:00 AM

MEMBERS PRESENT:

E. Calvin Fuchs, Chairman
Duane Famas
Johnnie Forquer
Ken Mabarak
Bill Warren

MEMBERS ABSENT:

Mike Klein, Vice Chairman
Tom Kayn

OTHERS PRESENT:

Tom Guice, Director, Community Development
George Worley, Assistant Director, Community Development
Gary Kidd, City Attorney
Dick Mastin, Development Services Manager
Linda Hartmann, Grants Administrator
Robert Luzius, Councilman
Robert Bell, Councilman
Mark Baker, Community Planner
Ryan Smith, Community Planner
Pam Johnson, Recording Secretary

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

I. CALL TO ORDER

II. ATTENDANCE

The proceedings of this hearing were recorded and a tape is available in the Planning and Zoning Division for playback. A list of members of the public in attendance is also on file in the Community Development Department.

III. REGULAR AGENDA

1. Approve the minutes.

The Minutes of the 05/18/06 hearing were approved.

Mr. Famas, **MOTION: to approve the minutes of the May 18, 2006 hearing.** Mr. Warren, 2nd. **Vote: 5-0.**

- ##### 2. CUP06-004, 3377 Clearwater Drive. APN: 106-49-047 and totaling ± 0.80 acre. Zoning is Single-Family 35 (SF-35). LDC Section 2.5.6. Request conditional use permit for a detached guesthouse. Owner is James Goodwin. Applicant is Glenn Olsen. Community Planner is Steve Gaber (928) 777-1206.

Community Planner Mark Baker presenting:

- the lot is 3500 sq. ft., 30% maximum coverage is allowed on the lot
- the new residence and the guest house cover approximately 14% of the lot
- the guest house is located behind the residence
- the guest house will be 412 sq. ft. and 20' high
- the house and guest house will share the courtyard and the guest house will be accessed from courtyard

- the guest house will have a bed and bath, but no kitchen, the utilities will be shared with the residence
- parking will be provided in conjunction with the main house
- the guest house is 56' from the south property line and 75' from the west property line
- a few phone calls have been received, but no opposition to the project

Mr. Olsen stated the guest house will be used occasionally by family and friends on the weekends and will not be rented. It does not have kitchen facilities.

Mr. Warren, **MOTION: to approve CUP06-004** for the detached guest house at 3377 Clearwater Drive subject to it being constructed in substantial conformance to the site plan dated May 12, 2006. Ms. Forquer, 2nd. **Vote: 5-0**

3. **V06-004, 1477 Village Trail.** APN: 107-07-040 and totaling ± 0.23 acre. Zoning is Single-Family 9 (SF-9). LDC Section 3.6.3E.3. Request variance for reduction of rear yard setback. Owner/applicant is McCarthy Family Trust. Community Planner is Steve Gaber (928) 777-1206. Assistant Community Development Director, George Worley was presenting.

Applicant has requested consideration of variance request to be moved to July 20, 2006, due to a family medical emergency.

Mr. Warren, **Motion: for postponement** until July 20, 2006. Mr. Famas, 2nd. **Vote: 5-0.**

4. **V06-005, 140 N. Pleasant Street.** APN: 113-16-091 and totaling ± 0.11 acre. Zoning is Multi-Family Medium (MF-M). LDC Section 3.9.3F.1. Request variance for front yard setback reduction. Owner/applicant is Ronald L. Sult. Community Planner is Steve Gaber (928) 777-1206.

Community Planner Ryan Smith, presenting:

- the applicant requested an encroachment into front setback for a porch
- none of the homes in the area meet the setback requirements
- the subdivision was platted before zoning was adopted in the city
- pictures shown compared the property with other properties on the street
- elevations of what the porch would look like were presented
- the staff is recommending approval

One board member questioned if the setback was from the curb or from the sidewalk. It was indicated to be from the back of the sidewalk.

The applicant was asked why he went to the Historic Preservation Commission. He responded that the house was located in a Historical district.

Mr. Famas, **MOTION: to approve variance application V06-005** subject to the condition that the new covered porch be constructed in substantial conformance with the plans and drawings dated June 1, 2006. Mr. Mabarak, 2nd. **Vote: 5-0**

5. **V06-001, 215 W. Leroux Street.** APN: 109-14-022 and totaling ± 0.378 acre. Zoning is Business Regional (BR). Request a variance for a parking reduction waiver (*LDC* Section 6.2); request a zero setback allowance on the south side for a 12-unit studio apartment (*LDC* Section 4.8). Owner is Project Aware, Inc. Applicant is Alfred E. Falk. Community Planner is Ryan Smith. (*Continued from 03-16-06*).

Mr. Smith explained due to some issues the Planning and Zoning Commission had with sections 6 & 7 of the Land Development Code, it was sent back to the UDC committee for updating and will not be heard by P&Z until later this month and will not be ready for the Board of Adjustment until September 2006.

Mr. Falk supported the postponement.

Mr. Warren, **Motion: postponing consideration** of variance of V06-001 until the hearing on September 21, 2006. Mr. Famas, 2nd. **Vote: 5-0**

IV. REVIEW ITEMS

6. **V04-011, 840 Bertrand Street.** APN: 109-07-057. Variance to reduce rear setback on Lot 6-R.

BOA Approved 12-16-04 with 1 condition: That the proposed single-family Home is built in substantial conformance to the site plan dated November 17, 2004.

Request 45-day extension via e-mailed letter (attached).

Mr. Worley explained the project was finalized and the 45 day extension is no longer needed.

7. **CUP04-013, 1280 E. Rosser St., Prescott Adult Center.** APN: 105-04-026B Conditional Use Permit for a building larger than 10,000 SF.

BOA Approved 12-16-04 with 2 conditions: 1) Comply with all City and Agency Building Permit and Site Plan Permit requirements prior to the issuance of building permits; and, 2) The City Building Department approved site plan of the Prescott Adult Center shall be in substantial conformance with Exhibits A1, A2, A3, A4, A5, A6, A7 and A8 dated October 28, 2004.

Request extension to December 16, 2006. Linda Hartmann, Grants Administrator, City of Prescott.

Mr. Worley explained the need for an extension of the conditional use permit.

- due to be completed early this fall
- project is well under way
- extension request is until December 16th
- a representative was available for questions

Mrs. Hartmann stated they will probably meet the September deadline, but in case of unforeseen issues, the extension is requested.

Mr. Mabarak, **MOTION: extend the time for completion of the construction under** conditional use permit CUP04-013 until December 16, 2006. Mr. Warren, 2nd. **Vote: 5-0**

V. SUMMARY OF CURRENT OR RECENT EVENTS

None.

VI. ADJOURNMENT

The meeting was adjourned at 9:20am.

E. Calvin Fuchs, Chairman